

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below by Express Mail under 37 C.F.R. 1.10 in an envelope addressed to the: BOX PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

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Patricia Horstetter

Signature

3/28/06

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

BRÜNGGER ET AL.

INTERNATIONAL APPLICATION NO: PCT/EP2004/008798

FILED: 05 AUGUST 2004

U.S. APPLICATION NO: Not Yet Known

35 USC §371 DATE: Herewith

FOR: UBIQUITIN-SPECIFIC PROTEASE

Mail Stop: PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION

The present petition is filed in response to a missed national stage (35 USC §371) deadline for the above-identified international application. The application became abandoned for failure to file a timely and proper national stage application on or before February 6, 2006, which is the 30 month deadline for filing a national stage application off the above-identified international application (whose priority date is August 6, 2003).

APPLICANTS HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) *Petition fee;*
- (2) *Proposed response and/or issue fee;*
- (3) *Terminal disclaimer with disclaimer fee (required for all utility and plant applications filed before June 8, 1995, and for all design applications); and*
- (4) *Statement that the entire delay was unintentional.*

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1500.00 DA **Petition fee:**

- ☐ Small entity – fee \$660.00 (37 C.F.R. 1.17(m)) is enclosed herewith.
- ☐ Small entity statement enclosed herewith.
- ☐ Small entity statement previously filed.
- ☒ Other than small entity – fee \$1,500.00 (37 C.F.R. 1.17(m)).

2. **Proposed response and/or fee:**

- ☒ Transmittal Letter, Preliminary Amendment, Application Data Sheet,
~~Un~~executed Declaration, and Postcard are enclosed herewith.

3. **Terminal disclaimer with disclaimer fee:**

- ☐ A terminal disclaimer equivalent to the number of months from abandonment to the filing of this petition (and disclaimer fee of \$55.00 (37 C.F.R. §1.20(d)) for a small entity) is enclosed herewith.
- ☒ Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. **Statement:**

The entire delay in filing the required reply from the national stage deadline until the filing of the present petition was unintentional (37 C.F.R. § 1.137(b)(3)).

5. **Enclosures:**

- ☐ Response
- ☒ Revival Petition Fee
- ☐ Terminal Disclaimer Form and Fee
- ☐ Small Entity Form
- ☒ Others: Transmittal Letter, Preliminary Amendment, Application Data Sheet,
~~Un~~executed Declaration, Postcard.

The Commissioner is hereby authorized to charge any additional fees that may be due, or to credit any overpayment, to Account 19-0134.

Respectfully submitted,

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Date: